IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT
THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE
and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1442 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 28/06/2004 in WP NO : 8530 OF 2000 on the file of the High Court.)

Between:

1 M.Vijayanand, S/o Tirupathaiah,
F.P. Shop No.115, Circle -1, Saidabad Colony, Hyderabad
2 A.Sanjeeva Rao, S/o Das,
F.P. Shop No.192, Circle-1, P & T Colony, Dilsukhnagar, Hyderabad
3 B.Das, S/o Rajaiah,
F.P. Shop No.189, Circle -1, Musarambagh, Hyderabad
4 T.Srilatha, W/o Srinivas
F.P. Shop No.132, Circle-1, Municipal Colony, Malakpet, Hyderabad
5 K,Chittaramma, W/o Narasimha,
F.P. Shop No.143,Circle-1, P & T Colony, Goutam Nagar, Hyderabad
6 M.Surya Prakasham, S/o Veeraiah,
F.P. Shop No.159, Circle-I, Madannapet, Hyderabad
7 Premkumar, S/o Dayanand,
F.P. Shop No.122, Circle-I, Usmanpura, Hyderabad
8 M.A.Sattar, S/o M.A.Gafoor,
F.P. Shop No.191, Circle-1, SBH Colony, Saidabad, Hyderabad
9 Yuvraj Singh, S/o Pratap Singh,
F.P. Shop No.148, Circle-1, Santosh Nagar, Hyderabad

..... APPELLANT(S)

AND

1 Chief Rationing Officer, Civil Supplies, C.R.O.Complex,
S.P.Road, Secunderabad
2 District Supply Officer (City), CRO Complex, S.P.Road, Secunderabad
3 Asst.Supply Officer, Circle-I, Hyderabad

.....RESPONDENT(S)

Counsel for the Appellants:MR.B.ADINARAYANA RAO

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following Oral Judgment: (per Sri Devinder Gupta,CJ)

We have heard the learned counsel for the appellants. In this appeal, the challenge is against the order of the learned single judge passed on 28.6.2004,dismissing the appellants' writ petition. Learned single judge assigned cogent reasons in dismissing the writ petition.

We do not find any reason to accept the submission of the learned counsel for the appellants for the reason that when appellants in earlier batch of writ petitions (Writ Petition No. 8671 of 1989 & Batch) approached this Court, this Court struck down the Government Orders with a direction to the appointing authority to review all cases of appointments and initiate action in accordance with law.

The argument is that the Government having kept the matter pending for ten years, now, cannot issue a notification inviting applications for appointing fair price shop dealers, which is bad in law.

The matter can be viewed from a different angle that the appointments of the appellants were never regularized and there was no vested right for them to continue as such since they were appointed during the interregnum temporarily. Learned single judge rightly noticed the fact that appellants were also parties to the earlier batch of writ petitions.

The writ appeal, is, therefore, dismissed.

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DEVINDER GUPTA, CJ

Date: 22nd September, 2004

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C.V.RAMULU,J

pnb

To

1 The Chief Rationing Officer, Civil Supplies, C.R.O.Complex, S.P.Road, Secunderabad.

2 The District Supply Officer (City), CRO Complex, S.P.Road, Secunderabad.

3 The Assistant Supply Officer, Circle-I, Hyderabad.

4 Two C.Cs. to the Government Pleader for Civil Supplies, High Court Buildings, Hyderabad (OUT).

5 Two C.D. copies